REMARKS

Reconsideration of this application is respectfully requested in light of the foregoing amendments and the following remarks.

Each of claims 1, 2, and 3 have been cancelled without prejudice or disclaimer.

Claims 4-11 have been added. Claims 4 - 11 are now pending in this application. Claims 4, 5, 7, 9, and 11 are the independent claims.

I. The Obviousness Rejection

Cancelled claims 1-3 were rejected under 35 U.S.C. § 103(a) as being unpatentable over various combinations of Gates (U.S. Patent No. 4,969,083) in view of Narukawa (U.S. Patent No. 5,978,943) and/or Lin (U.S. Patent No. 6,026,230). With respect to claims 4-13, these rejections are inapplicable.

None of the cited references, either alone or in any combination, establish a *prima facie* case of obviousness. "To establish a *prima facie* case of obviousness, three basic criteria must be met. First, there must be some suggestion or motivation, either in the references themselves or in the knowledge generally available to one of ordinary skill in the art, to modify the reference or to combine reference teachings. Second, there must be a reasonable expectation of success. Finally, the prior art reference (or references when combined) must teach or suggest all the claim limitations. The teaching or suggestion to make the claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure." See MPEP § 2143.

Independent claims 4, 5, 7, 9, and 11 recite:

- a "single chip program execution device" separable from a "communication/programming device" that compiles a "**user program** and a **system support kernal**"; and

- a "programmable logic controller **lacking a memory device external** to said single chip program execution device".

As mentioned above, independent claims 4, 5, 7, 9, and 11 recite a "single chip program execution device" separable from a "communication/programming device" that compiles a "**user program** and a **system support kernal**". Neither Gates, nor Narukawa, nor Lin, either taken alone or in combination, expressly or inherently teach or suggest a "single chip program execution device" separable from a "communication/programming device" that compiles a "**user program and a system support kernal**".

Lin allegedly discloses the "PCI controller 703 is coupled to EEPROM 704, which contains the configuration data for the PCI controller 703." See col. 59, lines 44-46. Lin's "**configuration data**" does not expressly or inherently teach or suggest a compilation of a "**user program** and a **system support kernal**".

Gates allegedly discloses a "PC multitasking executive shell" containing a "[c]ompiler task 37 [that] creates object code for each **rung from the [ladder] source code** created or modified by editor task 35". See col. 3, lines 20-23 and 58-61. Gates' "PC multitasking executive shell" does not expressly or inherently teach or suggest a "communication/programming device" that compiles "user program **and** a system support kernal". Moreover, Gates' "**object code** for each rung from the [ladder] source code" does not expressly or inherently teach or suggest a compilation of a "user program **and a system support kernal**".

As mentioned above, independent claims 4, 5, 7, 9, and 11 recite "said programmable logic controller **lacking a memory device external** to said single chip program execution device."

Narukawa, in FIG. 1, allegedly discloses a "controller" that includes a "ROM", a "RAM", a "CPU", and "**external memory 6**". Narukawa's "**external memory**" does not expressly or inherently teach or suggest "said programmable logic controller **lacking a memory**

device external to said single chip program execution device." Moreover, Narukawa allegedly recites **"the signals which are highly important** for the processing of the user logic ... **include signals used** ... for ... **external memory 6...."** Because the "external memory" to Narukawa's "controller" is "highly important", Narukawa teaches away from a "programmable logic controller **lacking**" an **"external" memory device**, and thus there is no motivation or suggestion to combine Narukawa with Gates or Lin to arrive at the claimed subject matter.

Thus, assuming *arguendo* that Gates, Narukawa, and Lin cited are combinable (an assumption with which applicant does not agree, because there is no motivation or suggestion to combine Gates, Narukawa, and/or Lin), the combination still does not expressly or inherently teach or suggest all of the claim limitations, and thus does not establish a *prima facie* case of obviousness. Thus, reconsideration and withdrawal of the rejection is respectfully requested.

Accordingly, it is respectfully submitted that Gates in view of Narukawa and/or Lin does not render obvious independent claims 4, 5, 7, 9, and 11. Further, because no *prima facie* rejection of any independent claim has been presented, no *prima facie* rejection of any dependent claim can be properly asserted.
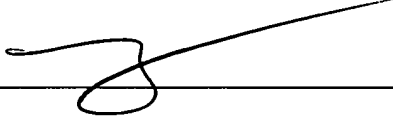
CONCLUSION

It is respectfully submitted that, in view of the foregoing amendments and remarks, the application as amended is in clear condition for allowance. Reconsideration, withdrawal of all grounds of rejection, and issuance of a Notice of Allowance are earnestly solicited.

The Office is hereby authorized to charge any additional fees or credit any overpayments under 37 C.F.R. § 1.16 or § 1.17 to Deposit Account No. 50-2504. The Examiner is invited to contact the undersigned at 434-972-9988 to discuss any matter regarding this application.

Respectfully submitted,

Michael Haynes PLC

Date: 7 C march 0 9

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